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25 Agua Caliente Band of Cahuilla Indians

26 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

27 **COUNTY OF SACRAMENTO**

28 FAIR POLITICAL PRACTICES)
COMMISSION, a state agency,)

Plaintiff,)

vs.)

AGUA CALIENTE BAND OF)
CAHUILLA INDIANS, a federally-)
recognized Indian tribe; and DOES)
I-XX,)

Defendants.)

Civil case no. 02AS04545

REQUESTS FOR JUDICIAL NOTICE
IN SUPPORT OF MOTION OF
SPECIALLY-APPEARING DEFENDANT
AGUA CALIENTE BAND OF CAHUILLA
INDIANS TO QUASH SERVICE FOR
LACK OF PERSONAL JURISDICTION

[C.C.P. §418.10]

Hearing: December 4, 2002
2:00 p.m.
Dept. 53

1
2 *Request for Judicial Notice No. 1:*

3 Pursuant to Evidence Code §451(b), specially appearing defendant Agua Caliente Band
4 of Cahuilla Indians requests the Court to take judicial notice of the official list of all federally-
5 recognized Indian tribes, entitled "Indian Tribal Entities Recognized and Eligible to Receive
6 Services From the United States Bureau of Indian Affairs," *Federal Register*, vol. 65, no. 49,
7 March 13, 2000, p. 13298. A copy of this list is attached hereto as Exhibit A. The name of the
8 specially-appearing Agua Caliente Band of Cahuilla Indians appears on p.13299.
9

10 Such action is required by Evidence Code §451(b) which states that "Judicial notice shall
11 be taken" of "Any matter made a subject of judicial notice by. . . Section 1507 of Title 44 of the
12 United States Code." That federal statute provides that "The contents of the *Federal Register*
13 shall be judicially noticed." 44. U.S.C. §1507.
14

15
16 *Request for Judicial Notice No. 2*

17 Pursuant to Evidence Code §452(d), specially-appearing defendant Agua Caliente Band
18 of Cahuilla Indians requests the Court to take judicial notice of the following two documents
19 filed in the records of the Superior Court of the State of California, County of Riverside, in the
20 case of *The People of the State of California ex rel. Daniel E. Lungren, Attorney General, v. The*
21 *Community Redevelopment Agency for the City of Palm Springs, a public agency; the Agua*
22 *Caliente Band of Cahuilla Indians, a federally recognized Indian Tribe; and the Agua Caliente*
23 *Transfer Corporation, a California corporation*, civil no. 78706:
24

25 1. Judgment, filed on December 13, 1995 (copy attached hereto as Exhibit B)

26 2. Minute order, ruling, and opinion on Motion to Quash Service of specially-

27 appearing defendant Agua Caliente Band of Cahuilla Indians, filed on or

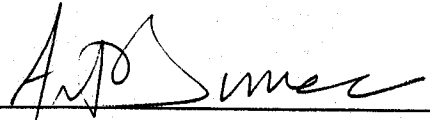
28 about December 28, 1994 (copy attached as Exhibit C)

1 The copies of the judgment and minute order attached to this original request for judicial
2 notice are certified in red on the reverse of each. The copies served on counsel are not certified.
3

4 Such action is proper under Evidence Code §452(d), which states that "Judicial notice
5 may be taken of" the "Records of (1) any court of this state."
6

7 Dated: November 1, 2002
8
9

Respectfully submitted,



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